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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 CITY OF CAPITOLA, ) Case No.: 5:12-CV-03428-LHK  
11 )  
12 Plaintiff, ) **ORDER GRANTING STIPULATED**  
13 ) **REQUEST TO ENLARGE TIME**  
14 v. )  
15 )  
16 LEXINGTON INSURANCE COMPANY, )  
and DOES 1 through 100, inclusive, )  
Defendants. )

17 A hearing for Plaintiff's Motion for Partial Summary Judgment is currently scheduled for  
18 July 18, 2013.

19 On March 28, 2013, the Court granted the Parties' Second Stipulated Request for an  
20 Order Enlarging Time for Opposition to Partial Summary Judgment Motion, and denied as moot  
21 Defendant's pending Motion to Enlarge Time and Motion to Shorten Time. ECF No. 71. The  
22 Court noted in that Order that any future motions to change time shall comply with Northern  
23 District of California Civil Local Rule 6. Civil Local Rule 6 provides in relevant part that any  
24 stipulated request for an order changing time must be accompanied by a declaration that (1) sets  
25 forth with particularity, the reasons for the requested enlargement or shortening of time; (2)  
26 discloses all previous time modifications in the case, whether by stipulation or Court order; and  
27

(3) describes the effect the requested time modification would have on the schedule for the case.  
*See* Civ. L. R. 6-2(a).

On April 11, 2013, the parties filed a Stipulated Request for an Order Enlarging Time for Exchange of Expert Reports. ECF No. 79. The stipulation does not include a declaration, nor does it address the multiple previous time modifications in this case. The parties do indicate that good cause exists to grant the stipulated extension because the parties are actively engaged in productive settlement negotiations.

The parties' stipulation is hereby GRANTED. However, any future motions to change time in this case will be disfavored.

**IT IS SO ORDERED.**

Dated: April 15, 2013

  
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Honorable Lucy H. Koh